

HONORABLE DAVID W. CHRISTEL

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, et al.,)
Plaintiffs,) Case No. C70-9213-RSM-DWC
v.) Subproceeding No. 89-3-06 (Shellfish)
STATE OF WASHINGTON, et al.,) ORDER APPROVING SETTLEMENT
Defendants.) AGREEMENT

IT IS HEREBY ORDERED:

The Court, having considered the Joint Motion for Order Approving Settlement Agreement, which addresses disputes between the Puget Sound Shellfish Growers Legal Defense Fund; Russ' Shellfish Company; Plaintiff Treaty Tribes: Tulalip, Stillaguamish, Sauk Suiattle, Puyallup, Squaxin Island, Upper Skagit, Nooksack, Nisqually, Lummi, Skokomish, Port Gamble S'Klallam, Lower Elwha S'Klallam, Jamestown S'Klallam, Suquamish, and Swinomish Tribes; and the State of Washington, finds that the proposed settlement is fair and reasonable, both procedurally and substantively, consistent with applicable law, in good faith, and in the public interest. The Settlement Agreement is hereby approved. Pursuant to the terms of the Settlement Agreement, the motions for intervention for coverage under that certain

1 settlement agreement, Subproceeding 89-3, Dkt. 14476 (the “2007 Settlement Agreement”)
2 associated with tideland parcels listed on Exhibit A as “covered tidelands” are hereby
3 GRANTED and such parcels are considered “covered parcels” under the 2007 Settlement
4 Agreement. Motions for intervention for coverage under the 2007 Settlement Agreement
5 associated with tideland parcels listed on Exhibit A as “non-covered tidelands” are hereby
6 DENIED. The Motions for Intervention and Motions to Substitute Party submitted by shellfish
7 growers (Dkt. Nos. 355 – 358, 360-370, 372, 391, and 396) are also hereby GRANTED. This
8 subproceeding is hereby closed pursuant to the terms of the Settlement Agreement.

9 DATED this 26th day of May, 2020.

10
11 
12

13 David W. Christel
14 United States Magistrate Judge
15
16
17
18
19
20
21
22
23
24
25
26